



Attorney Docket No. 5649-919DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jeong-hee Chung et al.

Serial No.: 10/808,141

Group Art No.: 2812

Filed: March 24, 2004

Confirmation No.: 5290

For: SEMICONDUCTOR CAPACITORS HAVING TANTALUM OXIDE LAYERS
AND METHODS FOR MANUFACTURING THE SAME

August 13, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of March 24, 2004 rather than March 25, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of March 24, 2004 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page (www.usps.com) , showing "acceptance" or deposit date with the USPS at 5:38 p.m. on March 24, 2004; and
3. A true and accurate copy of the official filing receipt and postcard for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of March 25, 2004 instead of the Express Mail date of March 24, 2004.

In re: Jeong-hee Chung et al.
Serial No.: 10/808,141
Filed: March 24, 2004
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of March 24, 2004 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

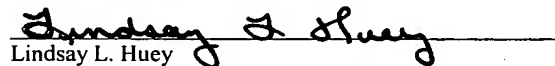


Jarett K. Abramson
Attorney For Applicant
Registration No. 47,376

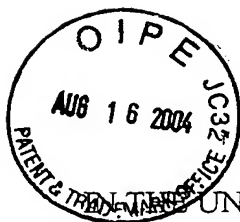
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Myers Bigel Sibley & Sajovec
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Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 13, 2004.



Lindsay L. Huey
Date of Signature: August 13, 2004



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-919DV

DATE: March 24, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/047,706; filed January 15, 2002, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims the benefit of Korean Application No. 2001-3165; filed January 19, 2001.

Inventor(s) or Application Identifier:

Jeong-hee Chung
In-sung Park
Jae-hyun

Entitled:

Semiconductor Capacitors Having Tantalum Oxide Layers and Methods for Manufacturing Same

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 18 pages of Specification (including 23 claims)
3. ☒ 3 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

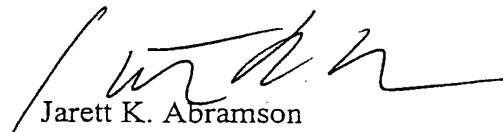
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s) copy from parent application*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 0 references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

| | Column 1 No. Filed | Column 2 No. Extra | Small Entity Rate Fee | Large Entity Rate Fee |
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| BASIC FEE | | | \$385.00 | \$ 770.00 |
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| INDEP CLAIMS | 2 - 3 = | 0 | x 43 = \$ | x 86 = \$ |
| <input type="checkbox"/> MULTIPLE Dependent Claims Presented | | | + 145 = \$ | + 290 = \$ |
| If the difference in Col. 1 is less than zero, Enter "0" in Col. 2 | | | Total \$ | Total \$824.00 |

- ☒ A check in the amount of \$824.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
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- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

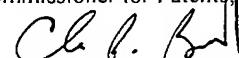

Jarett K. Abramson
Registration No. 47,376

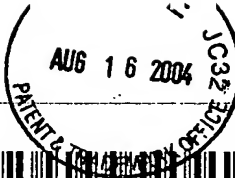
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Clara R. Beard



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- ARRIVAL AT UNIT, March 25, 2004, 8:16 am, DULLES, VA 20102
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Mail Stop Patent Application SKA/erb

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P.O. Box 1450

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04-01-04 A09:5

Date: March 24, 2004

Doc. No. 5649-9190V

Serial No. To Be Assigned

Inventor: Chung et al

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

☒ Application Transmittal and:

☒ Specification pages 18

☒ No. of Claims 23

☒ Declaration & POA

☒ Assignment and Fee Copy

☐ Small Entity Statement

☒ Formal Drawings/ 3 sheets

☐ Associate Power of Attorney

☒ Exp. Mail ☐ 1st Class Mail

Other:

☒ Check \$ 824 --

☒ IDS & PTO-1449 & 0 refs.

☐ Amendment & Amend. Transmittal

☒ Preliminary Amendment

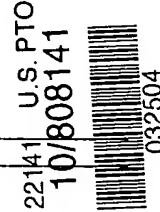
☐ Issue Fee

☐ Brief

☐ Appeal

☐ Submittal of Priority Doc.

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant



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JKA

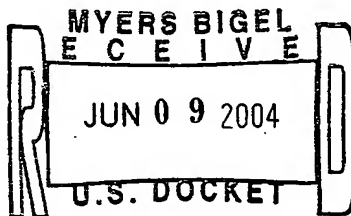


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|------------|-------------------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/808,141 | 03/25/2004 03/24/2004 | 2812 | 824 | 5649-919DV | 3 | 23 | 2 |

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627



CONFIRMATION NO. 5290

FILING RECEIPT



OC000000012878235

Date Mailed: 06/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jeong-hee Chung, Seoul, KOREA, REPUBLIC OF;
In-sung Park, Seoul, KOREA, REPUBLIC OF;
Jae-hyun Yeo, Incheon-city, KOREA, REPUBLIC OF;

Domestic Priority data as claimed by applicant

This application is a DIV of 10/047,706 01/15/2002 PAT 6,734,480

Foreign Applications

REPUBLIC OF KOREA 01-3165 01/19/2001

If Required, Foreign Filing License Granted: 06/04/2004

06-09-04 09:20 1h

Projected Publication Date: 09/16/2004

Non-Publication Request: No

Early Publication Request: No

Title

Semiconductor capacitors having tantalum oxide layers and methods for manufacturing the same

Preliminary Class

438

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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